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Commission on Crime Prevention and Criminal Justice

Report on the tenth session*
(8-17 May 2001)

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Contents

		Paragraphs	*Page*
I.	Matters calling for action by the Economic and Social Council or brought to its attention	1-3	4
	A. Draft resolutions to be recommended by the Economic and Social Council for adoption by the General Assembly	1	4
	I. Role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders		4
	II. Action against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the adopted protocols thereto		6
	B. Draft resolutions for adoption by the Economic and Social Council	2	6
	I. Action to promote effective community-based crime prevention		6
	II. Illicit trafficking in protected species of wild flora and fauna		8
	III. Strengthening international cooperation in preventing and combating the transfer of funds of illicit origin, derived from acts of corruption, including the laundering of funds, and in returning such funds		9
	C. Draft decision for adoption by the Economic and Social Council	3	10
	Report of the Commission on Crime Prevention and Criminal Justice on its tenth session and provisional agenda and documentation for the eleventh session of the Commission		10
II.	Thematic discussion: progress made in global action against corruption	4-24	12
	A. Structure of the debate	4-7	12
	B. Deliberations	8-24	12
III.	International cooperation in combating transnational crime	25-52	14
	A. Structure of the debate	25-28	14
	B. Deliberations	29-49	15
	C. Action taken by the Commission	50-52	17
IV.	Follow-up to the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders	53-63	17
	A. Structure of the debate	53-54	17
	B. Deliberations	55-62	18
	C. Action taken by the Commission	63	19
V.	Work of the Centre for International Crime Prevention	64-71	20
	A. Structure of the debate	64-65	20
	B. Deliberations	66-71	20

VI. United Nations standards and norms in crime prevention and criminal justice ... 72-84 21
A. Structure of the debate ... 72-73 21
B. Deliberations ... 74-83 21
C. Action taken by the Commission ... 84 23
VII. Strategic management and programme questions ... 85-97 23
A. Structure of the debate ... 85-86 23
B. Deliberations ... 87-97 23
VIII. Provisional agenda for the eleventh session of the Commission ... 98-99 25
IX. Adoption of the report of the Commission on its tenth session ... 100 25
X. Organization of the session ... 101-110 25
A. Opening and duration of the session ... 101-103 25
B. Attendance ... 104 26
C. Election of officers ... 105-107 26
D. Agenda and organization of work ... 108-109 26
E. Documentation ... 110 26

Annexes

I. Attendance ... 27
II. Conference-servicing implications of holding an inter-sessional meeting of the Commission on Crime Prevention and Criminal Justice prior to its resumed tenth session ... 32
III. List of documents ... 33

Chapter I

Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft resolutions to be recommended by the Economic and Social Council for adoption by the General Assembly

1. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolutions for adoption by the General Assembly:

Draft resolution I

Role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders*

The General Assembly,

Recalling that, in its resolution 53/110 of 9 December 1998, it requested the Commission on Crime Prevention and Criminal Justice to review the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, including the issue of regional preparatory meetings for the congresses,

Taking note with appreciation of the results of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna from 10 to 17 April 2000,[1]

Bearing in mind that the congresses are a consultative body of the United Nations Crime Prevention and Criminal Justice Programme, in accordance with paragraph 29 of the statement of principles and programme of action of the Programme, annexed to General Assembly resolution 46/152 of 18 December 1991,

Recognizing the significant contributions of the congresses to the promotion and strengthening of international cooperation in crime prevention and criminal justice,

Recognizing also that the congresses have been a forum for promoting the exchange of experiences in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice between States, intergovernmental organizations and individual experts representing various professions and disciplines,

Recognizing further the role played by the congresses in preparing suggestions, for consideration by the Commission, on possible subjects for its programme of work,

Aware of the need to review the functioning and method of work of the congresses in order to improve their effectiveness,

Noting with appreciation the offers made by the Governments of Mexico and Thailand to host the next congress,

1. *Decides* to continue holding the United Nations congresses in accordance with paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme,[2] following a dynamic, interactive and cost-effective method of work and a focused programme of work, and to call them the United Nations congresses on crime prevention and criminal justice;

2. *Also decides* that, beginning in 2005, the congresses, pursuant to paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, shall be held in accordance with the following guidelines:

(a) Each congress shall discuss specific topics, including, where appropriate, a main topic, all to be determined by the Commission on Crime Prevention and Criminal Justice;

(b) Each congress shall include one session of pre-congress consultations;

(c) Each congress shall include a high-level segment in which States will be represented at the

* For the discussion, see chapter IV.

[1] See *Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Vienna, 10-17 April 2000: report prepared by the Secretariat* (United Nations publication, Sales No. E.00.IV.8).

[2] Resolution 46/152, annex.

highest possible level and will be given an opportunity to make statements on the topics of the congress;

(d) As part of the high-level segment, the heads of delegations or their representatives shall participate in a number of thematic interactive round tables, in order to further the discussion on the topics of the congress through open dialogue;

(e) Panels of experts, to be selected by the Commission with due regard for the principle of equitable geographical distribution, shall hold workshops dealing with the topics of the congress, maintaining an open dialogue with the participants and avoiding the reading of statements;

(f) Institutes of the United Nations Crime Prevention and Criminal Justice Programme network shall be invited to assist in the preparations for the workshops;

(g) The Secretary-General shall facilitate, within existing resources, the organization of ancillary meetings of non-governmental organizations and professional organizations at each congress;

(h) Each congress shall adopt a single declaration containing recommendations derived from the deliberations of the high-level segment, the round tables and the workshops, to be submitted to the Commission for its consideration;

(i) Any action suggested to the Commission regarding its programme of work, contained in the declaration of the congress, shall be undertaken through individual resolutions of the Commission;

(j) The Commission, as the preparatory body for the congress, shall request the Secretary-General to prepare only those background documents which are absolutely necessary for implementing the programme of work of the congress;

(k) Each congress shall be preceded by regional preparatory meetings, when necessary, and the costs of the regional preparatory meetings for each congress shall be streamlined by holding them in conjunction with other regional meetings, shortening their duration and limiting the preparation of background documents;

3. *Requests* the Commission on Crime Prevention and Criminal Justice to continue to act as the preparatory body for the congresses and to follow the guidelines contained in paragraph 2 above in organizing future congresses;

4. *Requests* the Secretary-General to continue providing the staff required to serve as secretariat for the congresses and the regional preparatory meetings for the congresses;

5. *Also requests* the Secretary-General to provide the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat with the necessary resources, within the overall appropriations of the programme budget for the biennium 2002-2003, for the preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and to ensure that adequate resources are provided in the programme budget for the biennium 2004-2005 to support the holding of the Eleventh Congress;

6. *Requests* the Commission on Crime Prevention and Criminal Justice to formulate, at its eleventh session, recommendations regarding the Eleventh Congress, including recommendations on the main topic, the organization of round tables and workshops to be held by panels of experts and the venue and duration of the Eleventh Congress, and to submit those recommendations, through the Economic and Social Council, to the General Assembly at its fifty-seventh session;

7. *Also requests* the Commission on Crime Prevention and Criminal Justice to formulate, at its eleventh session, appropriate recommendations to enable the Economic and Social Council to introduce the necessary amendments to the rules of procedure for the congresses to reflect the guidelines contained in paragraph 2 above;

8. *Requests* the Secretary-General to ensure the proper follow-up to the present resolution and to report thereon to the General Assembly, through the Commission on Crime Prevention and Criminal Justice at its eleventh session.

Draft resolution II

Action against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the adopted protocols thereto*

The General Assembly,

Deeply concerned at the impact of transnational organized crime on the political, social and economic stability and development of societies,

Bearing in mind that the fight against transnational organized crime is a common and shared responsibility of the international community, necessitating cooperation at the bilateral and multilateral levels,

Reaffirming its support of and commitment to the goals of the United Nations in the field of crime prevention and criminal justice, in particular, the objectives set forth in the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, [3]

Recalling its resolution 55/25 of 15 November 2000, in which it adopted the United Nations Convention against Transnational Organized Crime and the protocols thereto and urged all States and regional economic organizations to sign and ratify those international legal instruments,

Noting with appreciation the initiative of those States which have pledged financial contributions to the United Nations Crime Prevention and Criminal Justice Fund in order to enable developing countries and countries with economies in transition to initiate measures to implement the Convention and the protocols thereto,

1. *Welcomes* the signing of the United Nations Convention against Transnational Organized Crime and the protocols thereto;

2. *Expresses its appreciation* for the offers of a number of Governments to host regional conferences at the ministerial level and for the financial contributions of a number of States for the purpose of holding pre-ratification seminars on facilitating the entry into force of the Convention and the adopted protocols thereto and their future implementation;

3. *Encourages* Member States to make adequate voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund for the provision to developing countries and countries with economies in transition of the technical assistance that they might require for implementation of the Convention and the protocols thereto, including for the preparatory measures needed for that implementation, taking into account article 30 of the Convention;

4. *Requests* the Secretary-General to provide the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat with the resources necessary to enable it to promote, in an effective manner, the entry into force and implementation of the Convention and the protocols thereto, inter alia, through the provision of assistance to developing countries and countries with economies in transition for building capacity in the areas covered by the Convention and the adopted protocols thereto;

5. *Also requests* the Secretary-General to submit a report on the implementation of the present resolution to the Commission on Crime Prevention and Criminal Justice at its eleventh session.

B. Draft resolutions for adoption by the Economic and Social Council

2. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolutions:

Draft resolution I

Action to promote effective community-based crime prevention**

The Economic and Social Council,

Bearing in mind its resolution 1996/16 of 23 July 1996, in which it requested the Secretary-General to continue to promote the use and application of United Nations standards and norms in crime prevention and criminal justice,

* For the discussion, see chapter III.

[3] Resolution 55/59, annex.

** For the discussion, see chapter VI.

Recalling the "Elements of responsible crime prevention: standards and norms", annexed to its resolution 1997/33 of 21 July 1997, in particular those elements on community involvement in crime prevention contained in paragraphs 14 to 23,

Recalling also the revised draft elements of responsible crime prevention prepared by the Expert Group Meeting on Elements of Responsible Crime Prevention: Addressing Traditional and Emerging Crime Problems, held in Buenos Aires from 8 to 10 September 1999,

Noting that the revised draft elements of responsible crime prevention were annexed to the working paper prepared by the Secretariat on effective crime prevention: keeping pace with new developments,[4] submitted to the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna from 10 to 17 April 2000,

Acknowledging the need to update and finalize the draft elements of responsible crime prevention,

Noting the international colloquium of crime prevention experts held in Montreal, Canada, from 3 to 6 October 1999, in preparation for the Tenth Congress by the Governments of Canada, France and the Netherlands, in collaboration with the International Centre for the Prevention of Crime,

Noting with appreciation the workshop on community involvement in crime prevention, organized during the Tenth Congress by the International Centre for the Prevention of Crime,[5]

Aware of the scope for significant reductions in crime and victimization through research-based approaches and of the contribution that effective crime prevention can make in terms of the safety and security of individuals and communities and their property,

Desirous that the commitments made in the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, adopted by the Tenth Congress,[6] in relation to crime prevention, especially those made in paragraphs 11, 13, 20, 21, 24 and 25 of the Vienna Declaration, be implemented nationally and internationally,

Convinced of the need to advance a collaborative agenda for action with respect to those commitments made in the Vienna Declaration,

1. *Requests* the Secretary-General to convene, subject to the availability of extrabudgetary resources, a meeting of experts selected on the basis of equitable geographical representation for the purposes of further revising the draft elements of responsible crime prevention,[7] with a view to arriving at a version of the draft elements on which the Commission on Crime Prevention and Criminal Justice at its eleventh session will be able to reach consensus, and of proposing priority areas for international action, including the identification of technical assistance issues, to promote effective community-based crime prevention;

2. *Welcomes* the offer of the Government of Canada to host the meeting of the expert group;

3. *Requests* the expert group, within the context of its meeting, to consider the results of the work of the recent United Nations meetings on this subject,[8]

4. *Requests* the Secretary-General to submit a report on the results of the meeting of the expert group,

[4] A/CONF.187/7.

[5] *Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Vienna, 10-17 April 2000: report prepared by the Secretariat* (United Nations publication, Sales No. E.00.IV.8), chap. VI, sect. C.

[6] Ibid., chap. I, resolution 1.

[7] A/CONF.187/7, annex.

[8] Most of this work is included in the following documents: Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century; the results of the workshop on community involvement in crime prevention and of discussions under agenda item 5, "Effective crime prevention: keeping pace with new developments", at the Tenth Congress; the report from the international colloquium of crime prevention experts held by the Governments of Canada, France and the Netherlands, in collaboration with the International Centre for the Prevention of Crime, from 3 to 6 October 1999, in Montreal, Canada; the most recent text of the draft elements contained in the working paper on effective crime prevention: keeping pace with new developments (A/CONF.187/7, annex); Economic and Social Council resolution 1997/33, on elements of responsible crime prevention; and the guidelines for cooperation and technical assistance in the field of urban crime prevention adopted by the Council in its resolution 1995/9.

including its revised version of the draft elements of responsible crime prevention and the priority areas for international action to promote effective community-based crime prevention, to the Commission on Crime Prevention and Criminal Justice at its eleventh session for its consideration and action.

Draft resolution II

Illicit trafficking in protected species of wild flora and fauna*

The Economic and Social Council,

Aware that the conservation of wild flora and fauna and of genetic resources is essential for the maintenance of biological diversity and sustainable development, these being of fundamental importance, in particular, for local and indigenous communities with traditional lifestyles based on biological resources, and that concerns have been expressed with respect to illicit access to genetic resources,

Taking note of the principles on which are founded the Convention on International Trade in Endangered Species of Wild Fauna and Flora,[9] an agreement regulating international trade in endangered species and establishing recommendations for combating illicit trafficking therein, and the Convention on Biological Diversity,[10]

Deeply concerned about the existence of groups, in particular those operating transnationally, dedicated to illicit trafficking in protected species of wild flora and fauna, that are increasingly employing sophisticated technologies,

Recognizing the links between transnational organized crime and illicit trafficking in protected species of wild flora and fauna, as well as the need to prevent, combat and eradicate this form of illicit traffic,

Aware of the adverse environmental, economic, social and scientific repercussions of transnational organized criminal activities devoted to illicit trafficking in protected species of wild flora and fauna,

Recognizing that international cooperation, especially mutual assistance against illicit trafficking in protected species of wild flora and fauna, is essential,

Taking into account General Assembly resolution 55/25 of 15 November 2000, in which it is stated that the United Nations Convention against Transnational Organized Crime[11] constitutes an effective tool and the necessary legal framework for international cooperation in combating such criminal activities as illicit trafficking in protected species of wild flora and fauna, in furtherance of the principles of the Convention on International Trade in Endangered Species of Wild Fauna and Flora,

1. *Urges* Member States to adopt, in accordance with the Convention on International Trade in Endangered Species of Wild Fauna and Flora,[9] the legislative or other measures necessary for establishing illicit trafficking in protected species of wild flora and fauna as a criminal offence in their domestic legislation;

2. *Encourages* Member States to explore possible means of promoting law enforcement cooperation and information exchange aimed at preventing, combating and eradicating illicit trafficking in protected species of wild flora and fauna;

3. *Requests* the Secretary-General to prepare, within existing resources or drawing upon extrabudgetary contributions, in coordination with other competent entities of the United Nations system, a report analysing domestic, bilateral, regional and multilateral legal provisions and other relevant documents, resolutions and recommendations dealing with the prevention, combating and eradication of illicit trafficking in protected species of wild flora and fauna by organized criminal groups and to present its report to the Commission on Crime Prevention and Criminal Justice at its eleventh session;

4. *Also requests* the Secretary-General to prepare, within existing resources or drawing upon extrabudgetary contributions, in coordination with other competent entities of the United Nations system, a report analysing the domestic, bilateral, regional and multilateral legal provisions and other relevant documents, resolutions and recommendations dealing

* For the discussion, see chapter III.

[9] United Nations, *Treaty Series*, vol. 993, No. 14537.

[10] See United Nations Environment Programme, *Convention on Biological Diversity* (Environmental Law and Institution Programme Activity Centre), June 1992.

[11] General Assembly resolution 55/25, annex I.

with illicit access to genetic resources and also the extent to which organized criminal groups are involved therein and to present its report to the Commission on Crime Prevention and Criminal Justice at its eleventh session.

Draft resolution III

Strengthening international cooperation in preventing and combating the transfer of funds of illicit origin, derived from acts of corruption, including the laundering of funds, and in returning such funds*

The Economic and Social Council,

Recalling General Assembly resolutions 51/191 of 16 December 1996 on the United Nations Declaration against Corruption and Bribery in International Commercial Transactions, 53/176 of 15 December 1998 on action against corruption and bribery in international commercial transactions, 54/205 of 22 December 1999 on the prevention of corrupt practices and illegal transfer of funds, 55/25 of 15 November 2000 on the United Nations Convention against Transnational Organized Crime, 55/61 of 4 December 2000 on an effective international legal instrument against corruption and 55/188 of 20 December 2000 on preventing and combating corrupt practices and illegal transfer of funds and repatriation of such funds to the countries of origin,

Concerned about the seriousness of problems posed by corruption, which may endanger the stability and security of societies, undermine the values of democracy and morality and jeopardize social, economic and political development,

Concerned also that funds of illicit origin derived from acts of corruption include public funds, whose diversion may seriously threaten economic and political progress, in particular in developing countries,

Alarmed at the fact that such funds are often being transferred from their countries of origin to international banking centres and financial havens,

Recognizing that the authorities of those countries wishing to recover funds of illicit origin, including funds obtained through acts of corruption and financial fraud, have a legitimate wish to obtain information on the whereabouts of those funds and that confidentiality, the right to privacy and bank secrecy cannot guarantee impunity,

Recognizing also the importance of strengthening international cooperation in combating the transfer of funds of illicit origin and in returning such funds,

Viewing with deep concern the increasing link between money-laundering and corruption, making it essential to promote national and international efforts in areas such as prevention, combating the transfer of funds of illicit origin and returning such funds,

1. *Requests* the intergovernmental open-ended expert group referred to in General Assembly resolution 55/61 to consider, within the context of its mandates, the following issues, inter alia, as possible items of work to be included in the draft terms of reference for the negotiation of a future legal instrument against corruption:

(a) Strengthening international cooperation in preventing and combating the transfer of funds of illicit origin, including the laundering of funds derived from acts of corruption, and promoting ways and means of enabling the return of such funds;

(b) Developing the measures necessary to ensure that those working in banking systems and other financial institutions contribute to the prevention of the transfer of funds of illicit origin derived from acts of corruption, for example, by recording transactions in a transparent manner, and to facilitate the return of those funds;

(c) Defining funds derived from acts of corruption as proceeds of crime and establishing that an act of corruption may be a predicate offence in relation to money-laundering;

(d) Establishing criteria for the determination of countries to which funds, referred to above, should be returned and the appropriate procedures for such return;

2. *Requests* the Office for Drug Control and Crime Prevention of the Secretariat to support Governments that request technical assistance in combating the transfer of funds of illicit origin and in returning such funds, including by providing the names of experts to assist such Governments;

* For the discussion, see chapter III

3. *Urges* Governments, through voluntary contributions, and invites multilateral financial institutions and regional development banks, as appropriate, to support the Office for Drug Control and Crime Prevention in its efforts to assist Governments that request technical cooperation in combating the transfer of funds of illicit origin and in returning such funds, including by providing the names of the experts available to assist the Office;

4. *Requests* the Secretary-General, further to his analytical report on progress made in the implementation of General Assembly resolution 55/188, to prepare, within existing resources or drawing upon through extrabudgetary contributions, for the ad hoc committee referred to in General Assembly resolution 55/61, a global study on the transfer of funds of illicit origin, especially funds derived from acts of corruption, and its impact on economic, social and political progress, in particular in developing countries, and to include in his study innovative ideas regarding appropriate ways and means of enabling the States concerned to obtain access to information on the whereabouts of funds belonging to them and to recover such funds.

C. Draft decision for adoption by the Economic and Social Council

3. The Commission also recommends to the Economic and Social Council the adoption of the following draft decision:

Draft decision

Report of the Commission on Crime Prevention and Criminal Justice on its tenth session and provisional agenda and documentation for the eleventh session of the Commission*

The Economic and Social Council,

(a) Takes note of the report of the Commission on Crime Prevention and Criminal Justice on its tenth session;

(b) Approves the provisional agenda and documentation for the eleventh session set out below.

Provisional agenda and documentation for the eleventh session of the Commission on Crime Prevention and Criminal Justice

1. Election of officers.

(Legislative authority: rule 15 of the rules of procedure of the functional commissions of the Economic and Social Council and Commission decision 1/101)

2. Adoption of the agenda and organization of work.

Documentation

Annotated provisional agenda

(Legislative authority: Economic and Social Council resolution 1992/1 and decision 1997/232 and rules 5 and 7 of the rules of procedure of the functional commissions of the Economic and Social Council)

3. Thematic discussion: "Reform of the criminal justice system".

Sub-themes to be identified by inter-sessional meetings

(Legislative authority: Economic and Social Council resolution 1999/51)

4. Reform of the criminal justice system: achieving effectiveness and equity.

Documentation

Report of the Secretary-General on juvenile justice reform

(Legislative authority: Economic and Social Council resolutions 1997/30 and 1998/28)

Report of the Secretary-General on penal reform

(Legislative authority: Economic and Social Council resolutions 1998/23 and 1999/27)

Report of the Secretary-General on restorative justice

(Legislative authority: Economic and Social Council resolutions 1999/26 and 2000/14)

Report of the Secretary-General on effective community-based crime prevention

* For the discussion, see chapter VIII.

(Legislative authority: draft resolution entitled "Action to promote effective community-based crime prevention" (E/CN.15/2001/L.2/Rev.2))

5. United Nations standards and norms in crime prevention and criminal justice.

Documentation

Report of the Secretary-General on the United Nations Declaration on Crime and Public Security

(Legislative authority: General Assembly resolution 51/50 and Economic and Social Council resolution 1997/34)

Report of the Secretary-General on corruption

(Legislative authority: General Assembly resolutions 51/59 and 51/191 and Economic and Social Council resolution 1998/21)

6. International cooperation in combating transnational crime.

Documentation

Report of the Secretary-General on the illicit manufacturing of and trafficking in explosives by criminals and their use for criminal purposes

(Legislative authority: General Assembly resolution 54/127 and Economic and Social Council resolution 1998/17)

Report of the Secretary-General on effective measures to prevent and control computer-related crime

(Legislative authority: Economic and Social Council resolution 1999/23)

Report of the Secretary-General on the illicit trafficking in species of wild flora and fauna and illicit access to genetic resources

(Legislative authority: draft resolution entitled "Illicit trafficking in species of wild flora and fauna" (E/CN.15/2001/L.3/Rev.2))

Report of the Secretary-General on the pre-ratification activities of the United Nations Convention against Transnational Organized Crime

(Legislative authority: draft resolution entitled "Action against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the adopted protocols thereto" (E/CN.15/2001/L.9/Rev.3))

7. Work of the Centre for International Crime Prevention.

Documentation

Report of the Executive Director on the work of the Centre for International Crime Prevention (containing information on progress made on, inter alia, technical cooperation, global programmes, resource mobilization and cooperation with United Nations entities and other bodies)

(Legislative authority: General Assembly resolution 55/64 and Economic and Social Council resolutions 1992/22 and 1999/23)

8. Preparations for the Eleventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

Documentation

Report of the Secretary-General on the theme, format and venue of the Eleventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders

(Legislative authority: draft resolution entitled "Role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders" (E/CN.15/2001/L.6/Rev.2))

9. Strategic management and programme questions.

(Legislative authority: Commission on Crime Prevention and Criminal Justice resolution 7/1)

10. Provisional agenda for the twelfth session of the Commission.

(Legislative authority: rule 9 of the rules of procedure for the functional commissions of the Economic and Social Council and Council decision 1997/232)

11. Adoption of the report of the Commission on its eleventh session.

Chapter II

Thematic discussion: progress made in global action against corruption

A. Structure of the debate

4. At its 1st to 3rd meetings, on 8 and 9 May 2001, the Commission on Crime Prevention and Criminal Justice considered item 3 of its agenda and conducted a discussion on the progress made in global action against corruption, which, in its resolution 9/1, it had decided should be the theme for its tenth session.

5. The thematic discussion was conducted taking into account consultations during the inter-sessional meetings of the Commission held on 16 February and 30 April 2001. The discussion drew on the experiences of those Member States which had joined or were about to join the global programme against corruption as pilot countries. The purpose of the discussion was to facilitate a spontaneous, interactive dialogue among Member States on the issue of corruption. As part of the discussion, the Commission considered two sub-themes: (a) government initiatives to combat corruption; and (b) asset recovery.

6. The discussion was led by the following panellists: Ibolya Dávid (Hungary), Rhousdy Soeriaatmadja (Indonesia), Nicoleta Iliescu (Romania), Héctor Charry Samper (Colombia) and Khaya Ngema (South Africa).

7. At its 2nd and 3rd meetings, on 8 and 9 May, the Commission heard statements by the representatives of France, Egypt, Spain, Peru, Saudi Arabia, the Sudan, Zimbabwe, the Russian Federation, Mexico, Pakistan, Bolivia, Nigeria, Colombia, Portugal, Canada, Belarus, Morocco, the Netherlands, Brazil, the United States of America, South Africa and the Philippines. The Commission also heard statements by the observers for the United Kingdom of Great Britain and Northern Ireland, Chile, Cuba, China, Slovakia, the Congo, Namibia, the Republic of Korea, Hungary, Germany Liechtenstein, the Czech Republic, Sweden, Guatemala and Turkey. Statements were also made by the observers for the Council of Europe and the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders.

B. Deliberations

1. Effective action against corruption

8. It was noted that corruption was a multidimensional, dynamic and transnational problem. Consequently, efforts to control it effectively must have the same attributes. Combating corruption required an evidence-based, comprehensive, integrated, non-partisan and long-term approach at the national and international levels.

9. A number of speakers expressed the view that a comprehensive approach would include efforts to strengthen institutional and legal frameworks, effective law enforcement and measures designed to limit opportunities for corruption, to prevent transfers of illicitly acquired funds and to repatriate such funds. Such a comprehensive approach would also entail measures aimed at awareness-raising and public education, as well as continuous monitoring of the progress made and evaluation of the results achieved. It became evident during the discussion that many national anti-corruption strategies had been inspired by the need to adopt such a comprehensive approach.

10. A number of speakers expressed a preference for the use of an evidence-based approach to gauge the extent of corruption. Many Member States had begun following such an approach by conducting comprehensive assessments of the levels, causes, locations, types, costs and effects of corruption. Some of those States had done so within the framework of the global programme against corruption of the Centre for International Crime Prevention or programmes of other international agencies; others had done so independently. Having a clear picture of the corruption situation in a country would help to demystify the problem, avoid stigmatization and provide the basis for the formulation of anti-corruption policies and action plans, as well as the establishment of benchmarks against which progress against corruption could be monitored.

11. In addition, one recurring theme in the discussion was the need for an integrated approach at the national and international levels. A broad-based coalition of stakeholders from civil society and the public and private sectors was needed to formulate a coordinated national integrity strategy and to ensure its implementation.

12. With respect to civil society, one frequently expressed view was that it was important to change the cultural acceptance of corruption and to develop integrity and civic morality; that implied that citizens had a responsibility to provide information on incidents involving corruption. It was emphasized that, to do that, the public needed to have access to information and must be protected by appropriate legislation, such as "whistle-blower" laws. Most importantly, the public must have confidence and trust in the institution of government. Speakers also emphasized the importance of enhancing the capacity and competence of civic organizations and of empowering the victims of corruption.

13. Public sector reforms to increase accountability, efficiency and transparency were widely viewed as being essential. Such reforms included the elimination of cumbersome regulations that provided opportunities for corruption. They also included system-wide reorganization allowing for transparent decision-making processes in all government operations. Speakers identified transparency in party financing, the legitimate promotion of special interests (such as lobbying) and disclosure of the assets and income of decision makers as important components of prevention and control strategies and policies.

14. Concerns were raised over problems encountered by anti-corruption agencies and institutions in the criminal justice system with regard to creating and maintaining integrity, independence and accountability.

15. The need for private sector measures was discussed. Codes of ethics for private enterprises and the commitment of companies doing business with the Government not to engage in corrupt acts were deemed to be essential.

16. Many speakers referred to the importance of having national laws on both the sanctioning of corrupt practices and the confiscation of proceeds, including provisions relating to the burden of proof. There was also broad agreement among speakers regarding the urgent need for an international legal instrument allowing for more effective and timely international cooperation in that area. In formulating the international legal instrument, due consideration should be given to the divergence of national legal systems and regional characteristics. Some speakers noted that those and other issues related to the return of funds of illicit origin were the subject of constitutional and other provisions of their domestic legislation and that those issues would need to be addressed by the intergovernmental open-ended expert group to prepare draft terms of reference for the negotiation of an international legal instrument against corruption and the ad hoc committee for the negotiation of such an instrument.

2. Asset recovery

17. At the 3rd meeting, on 9 May, the representative of Nigeria opened the discussion on asset recovery. The Commission heard statements by the representatives of Colombia, Canada, Brazil, Egypt, Peru, the United States and the Sudan. Statements were also made by the observers for the Congo, the Czech Republic, the United Kingdom and Chile.

18. It was noted that the inter-sessional meeting of the Commission held in Vienna on 30 April 2001, recalling General Assembly resolution 55/188 of 20 December 2000 on preventing and combating corrupt practices and illegal transfer of funds and repatriation of such funds to the countries of origin, had decided that a sub-theme should be asset recovery.

19. In its resolution 55/188, the General Assembly had invited the intergovernmental open-ended expert group for preparing draft terms of reference for the negotiation of an international legal instrument against corruption to examine the question of illegally transferred funds and the repatriation of such funds to the countries of origin. The Assembly had requested the Secretary-General to prepare an analytical report on the progress made in the implementation of resolution 55/188 and concrete recommendations with regard to the repatriation of illegally transferred funds to the countries of origin. It was noted that, pursuant to that resolution, the Centre for International Crime Prevention, in collaboration with the Global Programme against Money-Laundering, had convened a small group of experts to discuss the matter in Vienna from 26 to 28 March 2001. The report of that meeting was being finalized.

20. The difficulties some Member States were facing in tracing and returning illicitly acquired funds illustrated the need for stronger partnerships between the countries wishing to recover funds of illicit origin and the countries in which the funds were located. Many speakers stressed that the matter was very complex, involving a number of substantive, concep-

tual, political and legal issues. It was noted that there were a number of problems that countries, especially developing countries, had great difficulties in addressing alone. Cases of transfer of funds of illicit origin were difficult to build, manage and successfully prosecute. They frequently involved a series of transactions made using sophisticated means and, as a consequence, the collection, analysis, preservation and presentation of evidence was a challenge that often had a bearing on the credibility and success of the cases. The success of efforts to return funds of illicit origin might hinge on the formulation of requests for mutual legal assistance or for assistance in freezing, restraining and confiscating assets in accordance with the requirements of relevant arrangements or agreements or in compliance with legislation in a number of requested States. The process of formulating and responding to such requests was a lengthy one under the best of circumstances and any deviation from statutory or evidentiary requirements might not only lengthen the process, but also impede the ability of States to render assistance when requested to do so. In most developing countries, there was a dearth of specialized expertise, which was often exacerbated by the state of institutions in the country in question, which might be emerging from a particularly trying period of its history. Conducting a successful effort was virtually impossible without that specialized expertise and obtaining specialized professional assistance—in most cases, an expensive proposition—was often not an option for smaller and poorer countries. Differences in legal systems had hindered efforts to freeze and return funds of illicit origin, and measures were needed to foster mutual understanding of legal systems.

21. It became evident during the discussion that strengthened international cooperation in this area deserved urgent attention. It was noted that the General Assembly, in its resolution 55/188, while recognizing the importance of national measures, had called for increased international cooperation, through the United Nations system, in regard to devising ways and means of preventing and addressing illegal transfers, as well as repatriating illegally transferred funds to the countries of origin. The issue could be addressed most effectively by an international legal instrument that would provide a common basis for sharing information, conducting investigations, tracing assets, overcoming bank secrecy, confiscating and returning funds and extraditing offenders.

22. Speakers representing States with active financial centres confirmed that their national laws provided for the return of proceeds derived from corruption.

23. Speakers expressed strong support for international measures aimed at enforcing "due diligence" regulations in the banking industry to prevent high-level public officials from hiding stolen assets in foreign banks.

24. A number of speakers voiced the concerns felt by many about the risks associated with the return of funds of illicit origin in a domestic environment where corruption might still be perceived to be systemic. In such cases, there were concerns about the recurrence of the problem, fuelled by the availability of the returned funds. Some speakers recommended that, in order to address that problem, a system involving the appointment of independent custodians of returned funds should be considered. Another proposal called for a portion of recovered assets to be designated to fund integrity-building at the national level.

Chapter III

International cooperation in combating transnational crime

A. Structure of the debate

25. At its 4th to 6th meetings, on 9 and 10 May 2001, the Commission considered item 4 of its agenda. It had before it the following documents:

(a) Report of the Executive Director on the work of the Centre for International Crime Prevention (E/CN.15/2001/2 and Corr.1);

(b) Report of the Secretary-General on existing international legal instruments, recommendations and other documents addressing corruption (E/CN.15/2001/3 and Corr.1);

(c) Report of the Secretary-General on the conclusions of the study on effective measures to prevent and control high-technology and computer-related crime (E/CN.15/2001/4).

26. At its 4th meeting, on 9 May, following an introductory statement by the Director of the Centre for International Crime Prevention, the Commission heard statements by the representatives of Egypt (on behalf of the Group of 77 and China), Peru (on behalf of the Group of Latin American and Caribbean States), Peru, Colombia, Mexico, Pakistan, the Russian Federation, South Africa, the Philippines, Belarus and Egypt. Statements were also made by the observers for Namibia (on behalf of the Southern African Development Community), Sweden (on behalf of the European Union, with which the following States also associated themselves: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey), China, Guatemala and Turkey.

27. At its 5th meeting, on 10 May, the Commission heard statements by the representatives of Bulgaria, Poland, Japan, the Islamic Republic of Iran, United States, Argentina, Canada, the Sudan, Nigeria, the Netherlands, Algeria, Thailand, Mexico and India. Statements were also made by the observers for Sweden (on behalf of the European Union, with which the following States also associated themselves: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey), the Republic of Korea, Ecuador, Austria, Ukraine, Norway, Australia, Slovakia, the United Kingdom and Kuwait.

28. At its 6th meeting, on 10 May, the Commission heard statements by the observers for the Council of Arab Ministers of the Interior, the Council of Europe and the International Scientific and Professional Advisory Council.

B. Deliberations

29. Many speakers noted that transnational organized crime was a widespread phenomenon, undermining and destabilizing political, economic and social systems. That threat to society could not be fought solely at the national level, but needed to be addressed by joint efforts. Several speakers also highlighted the importance of bilateral, regional and global cooperation in that area.

30. Participants expressed their appreciation of and full support for the United Nations Convention against Transnational Organized Crime and its protocols. The speedy ratification and implementation of the Convention and the protocols were essential, as they could be used as effective tools in combating transnational organized crime. Many speakers called upon States that had not yet signed those legal instruments to do so as soon as possible. States that had signed them were urged to undertake the necessary steps for their ratification and implementation.

31. Some speakers called upon donor countries to provide financial assistance, especially by making contributions to the United Nations Crime Prevention and Criminal Justice Fund, in order to support the efforts of developing countries in ratifying and implementing the Convention and its protocols, as well as to provide technical assistance to those countries.

32. Many speakers expressed satisfaction with the conclusion of the negotiation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, by the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime at its twelfth session, held in Vienna from 26 February to 2 March 2001.

33. Appreciation was also expressed for the progress that had been made by the expert group on the illicit manufacturing of and trafficking in explosives and their use for criminal purposes, in particular the result of its first meeting, held in Vienna from 12 to 16 March 2001. Concern was expressed about the fact that only 8 of the 17 selected experts had participated in the expert group and that the lack of resources for interpretation had limited the participation of experts from member States of the Group of Latin American and Caribbean States.

34. Expressing concern about the lack of resources available for the expert group, several speakers called upon Governments to make additional voluntary contributions to enable the expert group to continue to prepare the study requested by the General Assembly in its resolution 54/127 of 17 December 1999. The representative of Mexico expressed the offer by his Government to act as host to the second meeting of the expert group between September and November 2001. To facilitate the work of the expert group at that meeting, the Government of Mexico would provide

conference services, including simultaneous interpretation in English, French and Spanish.

35. Finally, one speaker stated that the idea of negotiating an international legal instrument on the control of explosives, similar to a protocol to the United Nations Convention against Transnational Organized Crime, might require further careful consideration.

36. Several speakers acknowledged the gravity of high-technology and computer-related crime and emphasized the importance of taking action against such crime at the international level, including in the framework of the United Nations. It was noted that the fight against high-technology and computer-related crime required numerous sophisticated investigative measures and that following a common approach to fighting such crime was of vital importance. One speaker stated that his Government would provide a voluntary contribution for organizing an international seminar on computer-related crime.

37. Most speakers supported the recommendations in the report of the Secretary-General on effective measures to prevent and control high-technology and computer-related crime (E/CN.15/2001/4). In particular, most speakers supported the recommendation that the Centre for International Crime Prevention conduct a more detailed study of the problem, for submission to the Commission at its eleventh session (E/CN.15/2001/4, para. 45). With regard to the recommendation that an open-ended intergovernmental group of experts be established to examine the problem, several speakers expressed the view that the above-mentioned study should precede the establishment of such a group. Several speakers expressed the view that, on the basis of the detailed study, the establishment of a global programme against high-technology and computer-related crime could be considered by the Commission at its eleventh session.

38. Several speakers acknowledged that it was premature to negotiate an international legal instrument dealing with high-technology and computer-related crime.

39. Deep concern was expressed for the effects of corruption on democracy, and on the stability and security of society, as well as on social, economic and political development. Several speakers drew attention to the fact that no country was immune from corruption and that corruption was increasingly becoming a transnational phenomenon, requiring effective international cooperation.

40. Appreciation was expressed for the report of the Secretary-General on existing international legal instruments, recommendations and other documents addressing corruption (E/CN.15/2001/3 and Corr.1).

41. Speakers expressed their full support for General Assembly resolution 55/61 of 4 December 2000, in which the Assembly had decided to establish an ad hoc committee for the negotiation of an international legal instrument against corruption, and expressed their full commitment to the negotiation of such an instrument. Several speakers expressed the view that such an instrument should be in the form of a convention.

42. The view was expressed that the international legal instrument against corruption should build upon the experience gained by regional organizations in negotiating legal instruments addressing corruption and upon the experience gained in negotiating the United Nations Convention against Transnational Organized Crime.

43. Several speakers stressed that the future legal instrument against corruption should be based on a multidisciplinary approach and should cover a wide range of areas. In particular, reference was made to the issues of definition of corruption, definition of public officials, corruption in the private sector, sanctions, jurisdiction and international cooperation. Special emphasis was given to the need for effective measures to prevent corruption, including measures to promote integrity and good governance, as well as the adoption of codes of conduct. Diverse views were expressed on the precise subjects to be covered.

44. Some speakers highlighted the importance of including in the future legal instrument provisions against the application of bank secrecy laws to impede or hinder criminal investigations or other legal proceedings relating to corruption, as well as specific provisions on money-laundering, in particular money-laundering the proceeds of corruption.

45. According to some participants, the future legal instrument should also provide for technical and operational assistance to be rendered to developing countries with a view to strengthening their institutional capacity to enforce anti-corruption measures and

to investigate and prosecute offences to be specified in the instrument.

46. Other proposals presented during the discussion included a proposal on the establishment of a mechanism for providing compensation to parties who had suffered damage as a result of acts of corruption.

47. Finally, the need to establish mechanisms for monitoring the implementation of the future legal instrument was highlighted. Different views were expressed as to whether those mechanisms should be of a national or international nature.

48. During the discussion, there was broad recognition of the need for the future legal instrument to deal with preventing the transfer of funds of illicit origin and returning illegally transferred funds to their countries of origin. Some speakers noted that the focus should be on the illicit origin of such funds rather than on the fact that their transfer might have also been illegal.

49. The Commission invited the intergovernmental open-ended expert group for preparing draft terms of reference for the negotiation of the future legal instrument against corruption, established pursuant to General Assembly resolution 55/61, to take into consideration the observations contained in chapters III and IV of the report of the Commission on its tenth session in performing the functions assigned to it by the Assembly in its resolutions 55/61 and 55/188.

C. Action taken by the Commission

50. At its 12th meeting, on 17 May 2001, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution entitled "Illicit trafficking in protected species of wild flora and fauna", sponsored by Argentina, Australia, Bolivia, Brazil, Chile, Colombia, Ecuador, India, Indonesia, Mexico, Morocco, Peru, the Philippines, Saudi Arabia, South Africa, Spain, Sweden, Turkey, Uruguay and Venezuela (E/CN.15/2001/L.3/Rev.2). For the text, see chapter I, section B, draft resolution II.

51. At the same meeting, the Commission recommended to the Economic and Social Council the adoption of a revised draft resolution entitled "Strengthening international cooperation in preventing and combating the transfer of funds of illicit origin, derived from acts of corruption, including the laundering of funds, and in returning such funds", sponsored by Belarus, Benin, Bolivia, Botswana, Burkina Faso, Chile, Colombia, Ecuador, Guatemala, India, Indonesia, the Islamic Republic of Iran, Mexico, Morocco, Namibia, Nigeria, Pakistan, Peru, the Philippines, South Africa, Ukraine and Venezuela (E/CN.15/2001/L.12/Rev.1). For the text, see chapter I, section B, draft resolution III.

52. At the same meeting, the Commission recommended that the Economic and Social Council approve for adoption by the General Assembly a revised draft resolution entitled "Action against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the adopted protocols thereto", sponsored by Belarus, Canada, Croatia, Egypt (on behalf of the Group of 77 and China), France, Greece, Kuwait, Mexico, the Netherlands, Poland, Portugal, the Russian Federation, Qatar, Slovakia, Spain, Sweden, Turkey and the United Kingdom of Great Britain and Northern Ireland (E/CN.15/2001/L.9/Rev.3). For the text, see chapter I, section A, draft resolution II.

Chapter IV

Follow-up to the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

A. Structure of the debate

53. At its 10th meeting, on 14 May 2001, the Commission considered item 5 of its agenda. It had before it the following documents:

(a) Report of the Secretary-General on the draft plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (E/CN.15/2001/5);

(b) Note by the Secretariat on the review of the role, function, periodicity, duration and rules of

procedure of the United Nations congresses on the prevention of crime and the treatment of offenders (E/CN.15/2001/6).

54. At its 10th meeting, on 14 May, the Commission heard statements by the representatives of Thailand, Peru, Mexico, Canada, China, the United States, Argentina, Spain, South Africa, India, Nigeria and Peru (on behalf of the Group of Latin American and Caribbean States). Statements were also made by the observers for Sweden (on behalf of the European Union), Finland and Cuba. The observer for the Asia Crime Prevention Foundation also made a statement.

B. Deliberations

55. Several representatives expressed their satisfaction with the outcome of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna from 10 to 17 April 2000. In their view, the congresses should be retained as they provided a unique occasion for a broad spectrum of participants at various levels, such as ministerial-level officials, experts, intergovernmental organizations, non-governmental organizations and other representatives of civil society, to exchange views and experiences in the field of crime prevention and criminal justice. The congresses also served, in their view, to maintain the political momentum in fighting international crime and provided political guidance to the Commission. Representatives indicated that the high-level segment of the Tenth Congress had contributed to strengthening political will and support for crime prevention and criminal justice, as reflected by the Vienna Declaration. One representative indicated that the cost-benefits of convening future congresses should be evaluated, that the issue of whether to retain the congresses should be assessed in terms of their cost-effectiveness and that the congresses should be of shorter duration. Several representatives suggested that the congresses should be renamed "United Nations congresses on crime prevention and criminal justice".

56. Several representatives stressed the importance of advanced preparation in the organization of future congresses. They indicated that the format and organization of the congresses should be re-examined with a view to ensuring a focused and interactive discussion of the issues on the agenda. Some speakers were of the view that each of the congresses should focus on a priority theme of global concern. The preparations for future congresses should be undertaken in close cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network. It was noted that the involvement of the institutes of the Programme network in the organization of the workshops would result in a more focused and interactive dialogue in the consideration of the specific issues covered in the workshops.

57. Several speakers commended the organization of ancillary meetings during the Tenth Congress, which had promoted the active participation of intergovernmental organizations, non-governmental organizations and experts. It was stated that the participation of government representatives in the ancillary meetings should be facilitated. Regarding the periodicity of the congresses, several representatives were in favour of convening future congresses every five years, in line with the provisions of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme (General Assembly resolution 46/152, annex).

58. The representatives of Mexico and Thailand informed the Commission that their Governments had offered to host the Eleventh Congress. They indicated that their Governments' offers were supported by their respective regional groups.

59. Regarding the draft plans of action for the implementation of the Vienna Declaration, several speakers considered that the scope of the plans of action should be limited to the Vienna Declaration and existing mandates. Some representatives indicated that, in their view, the draft plans of action did not reflect a balanced consideration of all the provisions of the Vienna Declaration. Several representatives considered that the financial and budgetary implications for the implementation of the draft plans of action by Governments and the Secretariat had to be carefully reviewed. Some speakers indicated that the capacity of developing countries and countries with economies in transition should be strengthened, through technical assistance, to enable them to implement the plans of action.

60. A representative of the Secretariat indicated that it would be more appropriate for the rules of procedure for the Eleventh Congress to be considered when the

Commission, as the preparatory body for the congresses, addressed the organization of the next congress. There was general agreement on that view. Accordingly, the Commission did not make recommendations on the rules of procedure for the congresses, pursuant to rule 63 of the rules of procedure for the congresses.

Draft plans of action to implement the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century

61. At its 1st meeting, on 8 May 2001, the Commission decided to allocate six meetings of the Committee of the Whole to the consideration of the draft plans of action for the implementation of the Vienna Declaration (E/CN.15/2001/5). At the 14th meeting of the Commission, on 17 May 2001, its first Vice-Chairman, who also served as Chairman of the Committee of the Whole, reported to the Commission that, after 11 meetings, the Committee of the Whole had completed the consideration of the first six draft plans of action, namely, action against transnational organized crime, the plan of action against corruption, the plan of action against trafficking in persons, the plan of action against smuggling of migrants, the plan of action against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and the plan of action against money-laundering. There remained outstanding a question in the plan of action against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition because representatives had not had adequate time to consider a proposal relating to one part of the text of that plan of action. With that exception, the Committee of the Whole had reached consensus on the draft plans of action listed above. However, because of the extent and scope of the document and the complexity of the objectives in the draft plans of action, the Committee of the Whole was not able to complete its consideration of the remaining plans of action. The Commission expressed its strong appreciation to the Chairman of the Committee of the Whole for the work that had been accomplished.

62. Following discussion, the Commission considered that the draft plans of action should be approved and adopted as a package and accordingly did not proceed to consider the six draft plans of action discussed in the Committee of the Whole. The Commission decided to hold an inter-sessional meeting from 3 to 5 September 2001 to examine the draft plans of action, starting, for practical reasons, with those draft plans of action which were not discussed by the Committee of the Whole. The secretariat was requested to prepare a new document, replacing document E/CN.15/2001/5, which would reflect and take into account the discussion in the Committee of the Whole on the draft plans of action. The document should be made available to Member States six weeks prior to the inter-sessional meeting. Those Governments which had submitted additional proposals for the consideration of the Commission were requested to resubmit them; those submissions should be succinct and in line with the new format agreed upon in the Committee of the Whole. The inter-sessional meeting should present the outcome of its work to the Commission at its resumed tenth session, to be held on 6 and 7 September 2001. (For the conference-servicing implications of the inter-sessional meeting, see annex II.)

C. Action taken by the Commission

63. At its 12th meeting, on 17 May 2001, the Commission recommended that the Economic and Social Council approve for adoption by the General Assembly a revised draft resolution entitled "Role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders", sponsored by Argentina, Belarus, Bolivia, Botswana, Canada, Chile, Colombia, Croatia, Cuba, Ecuador, Finland, Greece, Hungary, the Islamic Republic of Iran, Italy, Jordan, Kuwait, the Libyan Arab Jamahiriya, Mexico, Morocco, Nigeria, Pakistan, Peru, Poland, Qatar, the Russian Federation, Saudi Arabia, Spain, Thailand, Tunisia and Ukraine (E/CN.15/2001/L.6/Rev.2). For the text see chapter I, section A, draft resolution I.

Chapter V

Work of the Centre for International Crime Prevention

A. Structure of the debate

64. At its 6th meeting, on 10 May 2001, the Commission considered item 6 of its agenda. It had before it the following documents:

(a) Report of the Executive Director on the work of the Centre for International Crime Prevention (E/CN.15/2001/2 and Corr.1);

(b) Report of the Secretary-General on projects involving international technical assistance and training in the field of crime prevention and criminal justice (E/CN.15/2001/7);

(c) Report of the Secretary-General on the activities of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network (E/CN.15/2001/8).

65. Following an introductory statement by the Director of the Centre for International Crime Prevention, the Commission heard statements from the representatives of France, Bolivia, the Russian Federation, Japan, the United States, the Philippines, Uzbekistan and Nigeria. Statements were also made by the observers for Turkey and Lithuania. Statements were also made by the observers for the United Nations Interregional Crime and Justice Research Institute, the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders and the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders.

B. Deliberations

66. Speakers expressed appreciation for the work that the Centre for International Crime Prevention, despite its limited human and financial resources, had carried out, in particular in supporting the development of the United Nations Convention against Transnational Organized Crime and its protocols and in delivering technical assistance in priority areas.

67. Many speakers highlighted the need to focus the work and resources of the Centre on a few achievable priorities and expressed support for the steps that the Centre had taken in that direction, including the identification of its foremost tasks (E/CN.15/2001/2 and Corr.1, para. 17): (a) facilitating the ratification and entry into force of the United Nations Convention against Transnational Organized Crime and its protocols; (b) supporting the preparatory work for the development of an international legal instrument against corruption; (c) contributing to achieving the specific targets set in the Vienna Declaration; (d) delivering technical assistance in those priority areas; and (e) developing initiatives for responding to new forms of global crime. Several speakers emphasized that the Centre should continue to focus on the issues of transnational organized crime and corruption. Speakers stressed the need to expand the technical cooperation activities of the Centre and to strengthen its capacity to deliver technical assistance effectively, in particular to assist Member States in fulfilling their obligations under the Convention and its protocols. It was considered essential that the technical assistance needs of developing countries in that area were adequately addressed. A call was made to review carefully the value to Member States of the information collected by the Centre through its periodic questionnaires on the use and application of standards and norms in crime prevention and criminal justice. It was considered important that the draft plans of action for the implementation of the Vienna Declaration should not result in a proliferation of mandates for the Centre. Some speakers, while recognizing the need to prioritize activities because of limited resources, noted that it was desirable for the Centre to expand its work in the area of crime prevention. The launching of a periodic publication entitled *Forum on Crime and Society* was welcomed.

68. Speakers stressed that there was a serious discrepancy between the significant mandates of the Centre and the resources available to it for carrying them out. There was agreement that the situation should be remedied, both by allocations from the regular budget of the United Nations and by voluntary contributions. The call to continue focusing the work of the Centre was reiterated in that context. Some speakers announced pledges to the United Nations Crime Prevention and Criminal Justice Fund. Several speakers welcomed those pledges and called upon the members of the international community to increase the contributions to the Fund. Speakers also suggested

that, in order to make more efficient use of available resources, the Commission should revise the reporting obligations of the Centre, avoid any possible overlap with other bodies and organizations and consider setting realistic and staggered time frames for the implementation of mandates. One speaker informed the Commission of the intention of her Government to host a subregional seminar to promote ratification of the United Nations Convention against Transnational Organized Crime.

69. Speakers expressed support for the global programmes against trafficking in human beings, corruption and transnational organized crime. They expressed appreciation for the progress made in implementing, within the framework of those programmes, projects at the regional and country levels. The importance of effective monitoring and evaluation of activities was also noted. Many speakers noted with appreciation the technical assistance provided under the global programme against trafficking in human beings; some speakers expressed their Governments' readiness to continue to provide financial support for the activities of that global programme. Speakers praised the value of the global programme against corruption; its activities on strengthening judicial integrity, which were currently under development, were particularly welcomed. Many speakers stressed the need to increase the resources for the programme so that it could respond to the increasing number of requests from Member States for technical assistance. It was noted that the global programme against transnational organized crime would complement the work of the Centre aimed at promoting the ratification and implementation of the United Nations Convention against Transnational Organized Crime.

70. Some speakers drew attention to the close links between transnational organized crime and terrorism and called for strengthening the work of the Terrorism Prevention Branch and increasing its financial and human resources.

71. Observers for the United Nations Interregional Crime and Justice Research Institute and other institutes of the United Nations Crime Prevention and Criminal Justice Programme network informed the Commission of their institutes' cooperation with the Centre and activities aimed at supporting the Centre in carrying out its mandates. They welcomed the possibility of their institutes being involved in the plans of action for the implementation of the Vienna Declaration, in particular by providing expertise in research and training.

Chapter VI

United Nations standards and norms in crime prevention and criminal justice

A. Structure of the debate

72. At its 9th meeting, on 14 May 2001, the Commission considered item 7 of its agenda. It had before it the following documents:

(a) Report of the Secretary-General on the use and application of United Nations standards and norms in crime prevention and criminal justice (E/CN.15/2001/9);

(b) Report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (E/CN.15/2001/10 and Corr.1).

73. At its 9th meeting, on 14 May, following an introductory statement by the Director of the Centre for International Crime Prevention, the Commission heard statements by the representatives of Belarus, the United States, Mexico, Colombia, Canada, Saudi Arabia, Poland, the Netherlands, South Africa, Egypt and Indonesia. The Commission also heard statements by the observers for Sweden (on behalf of the European Union), China, Botswana, the Congo, Finland, Cameroon and Slovakia. The observer for the World Society of Victimology also made a statement.

B. Deliberations

74. The Director of the Centre for International Crime Prevention explained the approach and position of the Centre with respect to the status and advancement of its mandated, ongoing and envisaged work in standard-setting and in promoting and overseeing the use and application of existing standards in crime prevention and criminal justice, including by information-gathering and survey processes. He introduced the idea of a new cross-cutting or "clustered"

approach. He stated that, in future, the Centre might seek the advice of leading authorities on the "clusters", using as a model the survey and research on the death penalty. The usefulness of the periodic review of the application by Governments of the United Nations instruments in crime prevention and criminal justice was emphasized.

75. Speakers supported the application of United Nations standards and norms in crime prevention and criminal justice as an important means by which Governments could upgrade criminal justice administration, across sectors, improving professional performance in effectively combating crime while safeguarding basic elements of human rights in an integrated manner.

76. It was noted that restorative justice and mediation were the areas in which some Governments had expressed interest in terms of the negotiation of a new international instrument. The Secretary-General's enquiry on the matter had been satisfactory in terms of the survey results, 36 responses having been received thus far. The representative of Canada informed the Commission that his Government would host an expert group meeting on that matter. Some speakers called for inclusion of basic international principles or common elements in such a new instrument; others questioned the need for such an instrument.

77. Many speakers stressed that the prevention and control of crime in all its forms should remain a central function of criminal justice systems and should not be suspended or underestimated in the light of the recent focus on "special" or "new" forms of crime such as corruption and organized crime. There was agreement that the world was far from being free of the threat of conventional crime. In line with the proposed "clustered" approach, it was stated that all standards and norms in crime prevention and criminal justice had great value and potential in preventing or deterring conventional forms of crime.

78. The elimination of violence against women was seen as an important task for Governments. The Centre for International Crime Prevention was called upon to outline basic policy guidelines in line with the United Nations standards that could assist Governments in a more practical manner in their efforts to eliminate violence against women. The view was expressed that more concerted international efforts had to be made to eliminate gender-discriminatory and exploitative violence. Governments were called on to participate in the international survey on violence against women that had been initiated by the European Institute for Crime Prevention and Control, affiliated with the United Nations, with the support of the Government of Canada.

79. Many speakers noted that increased international attention and national action were rightly focusing on the status and role of and care for victims of crime, implementing the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (General Assembly resolution 40/34, annex); however, there was still much to be done to guarantee the rights of victims in the criminal justice process. Concerns were raised regarding the needs and rights of special groups of victims such as women and children. The adoption of the United Nations Convention against Transnational Organized Crime and its protocols (General Assembly resolution 55/25) had brought into focus the needs of new groups of victims, in particular victims of transnational crime.

80. Several speakers supported the idea of providing earmarked funds for victims of crime and abuse of power in the context of technical assistance. It was stated that such technical assistance should be in the form of small-scale projects in developing countries to establish or render support for basic victim services and specific measures for special victim groups and campaigns for raising awareness of victims' rights. It was suggested that a sub-account might be established for that purpose within the United Nations Crime Prevention and Criminal Justice Fund. The representative of the Netherlands announced that his Government would make a voluntary contribution of 100,000 United States dollars to the Fund to support victims of crime.

81. The Handbook on Justice for Victims on the use and application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power and the Guide for Policy Makers on the Implementation of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power were welcomed as useful tools for promoting victims' rights and services. Many speakers supported the idea of translating the Handbook and the Guide into all official languages of the United Nations. The representative of Canada expressed the intention of his

Government to provide a French translation of the Handbook.

82. Speakers expressed satisfaction with the work of the Centre for International Crime Prevention in the area of standards and norms in crime prevention and criminal justice. Many speakers suggested that the work be continued following the new "clustered" approach, the possibility of which could be further pursued after the eleventh session of the Commission, the theme of which would be "Reform of the criminal justice system". It was also suggested that a comprehensive document might be prepared that would provide an overview of work advanced, proposals for further advancement and difficulties in that regard, by "cluster". Many speakers were of the view that the Secretary-General's proposal to consolidate, streamline and better rationalize reporting obligations was particularly valuable.

83. On the report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (E/CN.15/2001/10 and Corr.1), the observer for the European Union called on so-called "retentionist" countries to work towards abolition of the death penalty and called for a moratorium on the sentencing and imposition of capital punishment. Some speakers from so-called "retentionist" countries reported on the efforts of their Governments to limit the scope and application of the death penalty, to offer alternatives such as life imprisonment and to move towards abolition of the death penalty. It was noted that progressively fewer persons were being sentenced to death. Some speakers expressed the view that the total abolition of the penalty was functionally still difficult, as certain serious types of crime, such as homicide, rape and robbery, did not allow for it.

C. Action taken by the Commission

84. At its 12th meeting, on 17 May 2001, the Commission recommended to the Economic and Social Council the adoption of the revised draft resolution entitled "Action to promote effective community-based crime prevention", sponsored by Argentina, Australia, Belgium, Bulgaria, Burkina Faso, Cameroon, Canada, Costa Rica, Croatia, the Czech Republic, Ecuador, Finland, France, Germany, Hungary, Morocco, Namibia, Nigeria, Peru, Portugal, Romania, the Russian Federation, Slovakia, South Africa, Sweden (on behalf of the European Union), Uganda and the United Kingdom of Great Britain and Northern Ireland (E/CN.15/2001/L.2/Rev.2). For the text, see chapter I, section B, draft resolution I.

Chapter VII

Strategic management and programme questions

A. Structure of the debate

85. At its 7th meeting, on 11 May 2001, the Commission considered item 8 of its agenda. It had before it the following documents:

(a) Note by the Secretariat on the proposed programme of work in crime prevention and criminal justice for the biennium 2002-2003 (E/CN.15/2001/11);

(b) Note by the Secretary-General on the nomination of a member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2001/12).

86. Following an introductory statement by the Director of the Centre for International Crime Prevention, the Commission heard statements by the representatives of Canada, Japan, Argentina, the United States, the Sudan, Mexico, Nigeria, Egypt, Belarus, Spain, Peru, Costa Rica and Colombia. Statements were also made by the observers for the United Kingdom, the Congo, Cuba, Germany, Australia and Uganda.

B. Deliberations

1. Strategic management

87. Speakers expressed general support for a proposal to select "Reform of the criminal justice system" to be the theme for the eleventh session of the Commission. Noting that an understanding had been reached by the Commission at its earlier sessions that the theme for each session should be relevant to the agenda of that session, one speaker pointed out that the proposed theme would be pertinent to the provisional agenda for the eleventh session of the Commission, which would

include several items relating to the United Nations standards and norms in crime prevention and criminal justice. Some speakers stated that the theme would also contribute to the achievement of a balance in the work of the Commission between combating major crime threats and promoting social justice by reforming criminal justice systems. It was suggested that the theme could include several sub-themes, which could be determined by States at the inter-sessional meetings of the Commission. The suggested sub-themes included "Administrative reform", "Court reform", "Crime prevention" and "Access of victims to justice". Some speakers noted that it was necessary to reduce the scope of the proposed theme by identifying a limited number of sub-themes.

88. The Commission subsequently agreed to select "Reform of the criminal justice system" to be the topic for the thematic discussion at its eleventh session. It also agreed that the inter-sessional meetings would decide on the sub-themes.

2. Programme questions

89. In expressing appreciation for the content of the proposed programme of work in crime prevention and criminal justice for the biennium 2002-2003 (E/CN.15/2001/11), many speakers commented on its various elements. One speaker announced that his delegation intended to submit written comments on the subject to the Secretariat.

90. The inclusion of expected accomplishments and performance indicators for the proposed programme of work was welcomed. One speaker noted that that constituted a step towards result-based budgeting. One speaker asked how the expected accomplishments and performance indicators would be measured, for example, with respect to expansion of expertise and increase in awareness.

91. Many speakers questioned the procedure of submitting to the Commission the proposed programme of work in crime prevention and criminal justice without information on costs and resource allocation and called for greater accountability and transparency vis-à-vis the Commission in that respect. They noted that the role of the Commission was to recommend policy and that sound policy-making required adequate information on costs and resource availability. The Director of the Centre for International Crime Prevention explained that the regulations of the United Nations governing programme planning and budgeting stipulated that budgetary and administrative matters were considered by the Committee for Programme and Coordination, the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee of the General Assembly. He also explained that the views and comments of the Commission on the proposed programme of work were to be brought to the attention of those bodies.

92. Some speakers were of the view that the proposed programme of work in crime prevention and criminal justice far exceeded the current human and financial resources of the Centre for International Crime Prevention. They called for significant increases in resources, both from the regular budget of the United Nations and from voluntary contributions. They considered that to be essential to enable the Centre to fulfil its new tasks, such as those relating to the obligations of States under the United Nations Convention against Transnational Organized Crime and its protocols and to the supporting work that States had initiated to foster international action against corruption. Speakers expressed strong support for a well-managed expansion of the Centre through increased resources, as well as increased activities for addressing the priorities of States.

93. Other speakers were of the view that the Centre for International Crime Prevention should focus its activities on a few manageable priority areas where it could offer comparative advantages. Noting that States should provide the guidance for determining the focus of work, many speakers suggested that, based on the work that had been initiated and done in the recent past, the focus for the near future should be: (a) sustaining the momentum achieved in the past few years in combating transnational organized crime; (b) work relating to the future international legal instrument against corruption; and (c) effective implementation of the global programmes against transnational organized crime, trafficking in human beings and corruption, as the framework for providing technical assistance. The need for independent evaluation of the global programmes was also noted. Some speakers stressed that the work of the Centre should also include a crime prevention component. Some speakers emphasized the relationship of the reform of the criminal justice system, the theme for the

eleventh session of the Commission, to combating transnational organized crime.

94. Many speakers stressed the need for a balanced approach in priority-setting, as had been called for in previous sessions of the Commission, and expressed concern that the proposed programme of work did not reflect a balanced approach between combating major international crime threats and promoting the greater goals of social justice and harmony, as it did not include activities in the latter area. Some speakers considered it important to continue activities relating to the United Nations standards and norms in crime prevention and criminal justice. It was suggested that the programme of work should include a reference to the activities of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network.

95. Some speakers noted that, in the future, the plans of action for the implementation of the Vienna Declaration, forthcoming resolutions of the Commission and the decision to negotiate an international legal instrument against corruption would have a major impact on the programme of work. They stressed the importance of ensuring the compatibility of the proposed programme of work with those matters.

96. Divergent views were expressed by many speakers with respect to the proposed activities for the prevention of terrorism. Some said that those activities had to be approached bearing in mind the mandates of other United Nations entities. Others stressed that the Centre for International Crime Prevention had a mandate to address the criminal aspects of terrorism and supported the work of the Centre in that area.

3. United Nations Interregional Crime and Justice Research Institute

97. The Commission was to recommend for appointment to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute one candidate to fill the position on the Board that had become vacant as a result of the resignation of Philippe Melchior (France). At its 7th meeting, on 11 May, the Commission recommended to the Economic and Social Council the appointment of Jean-Claude Karsenty (France) to the Board of Trustees of the Institute.

Chapter VIII

Provisional agenda for the eleventh session of the Commission

98. At its 12th meeting, on 17 May, the Commission on Crime Prevention and Criminal Justice considered the provisional agenda for its eleventh session. It had before it a draft decision entitled "Report of the Commission on Crime Prevention and Criminal Justice on its tenth session and provisional agenda and documentation for the eleventh session of the Commission" (E/CN.15/2001/L.1/Add.1/Rev.1).

99. Following introductory statements by the Chairman and the Rapporteur and a general discussion of the draft provisional agenda for its eleventh session, the Commission recommended the draft decision for adoption by the Economic and Social Council. For the text, see chapter I, section C.

Chapter IX

Adoption of the report of the Commission on its tenth session

100. At its 12th meeting, on 17 May 2001, the Commission adopted by consensus the report on its tenth session (E/CN.15/L.1 and Add.1/Rev.1 and E/CN.15/L.1/Add.2-8), as orally amended.

Chapter X

Organization of the session

A. Opening and duration of the session

101. The Commission on Crime Prevention and Criminal Justice held its tenth session in Vienna from 8 to 17 May 2001. The Commission held 13 meetings. The Committee of the Whole held its meetings in parallel with the plenary.

102. The tenth session of the Commission on Crime Prevention and Criminal Justice was opened by the outgoing Chairman of the ninth session, Vladimiro Zagrebelsky (Italy).

103. At the opening meeting, the Executive Director of the Office for Drug Control and Crime Prevention addressed the Commission.

B. Attendance

104. The tenth session was attended by representatives of 35 States members of the Commission. (Five States were not represented.) Also attending were observers for 73 other States Members of the United Nations, 2 non-member States, 1 entity maintaining a permanent observer mission to the United Nations, representatives of organizations of the United Nations system and observers for the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, 12 intergovernmental organizations and 33 non-governmental organizations. A list of participants is contained in annex I to the present report.

C. Election of officers

105. At its 1st meeting, on 8 May 2001, the Commission elected the following officers by acclamation:

Chairman: Shaukat Umer (Pakistan)

Vice-Chairmen: Tajeddine Baddou (Morocco)
Ivan Naydenov (Bulgaria)
Juan Jiménez Mayor (Peru)

Rapporteur: Ignacio Baylina Ruiz (Spain)

106. The elected officers constituted the bureau of the Commission, which met several times during the session to consider matters relating to the organization of work and to strategic management.

107. Following his election, the Chairman of the tenth session made a brief introductory statement.

D. Agenda and organization of work

108. At its 1st meeting, on 8 May, the Commission adopted by consensus its provisional agenda, which had been agreed on by the Commission at its ninth session and approved by the Economic and Social Council in its decision 2000/239 of 27 July 2000. The agenda was as follows:

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Thematic discussion: "Progress made in global action against corruption".
4. International cooperation in combating transnational crime.
5. Follow-up to the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.
6. Work of the Centre for International Crime Prevention.
7. United Nations standards and norms in crime prevention and criminal justice:
   (a) Victims of crime and abuse of power;
   (b) Effective crime prevention.
8. Strategic management and programme questions.
9. Provisional agenda for the eleventh session of the Commission.
10. Adoption of the report of the Commission on its tenth session.

109. At the same meeting, the Commission adopted the proposed organization of work for its tenth session, contained in the annex to the provisional agenda (E/CN.15/2001/1 and Corr.1), which included 12 meetings for the Committee of the Whole.

E. Documentation

110. The documents before the Commission at its tenth session are listed in annex III to the present report. Several representatives called on the Secretariat to ensure that pre-session documentation was made available in the six official languages of the United Nations six weeks prior to the session, as requested by the General Assembly.

Annex I

Attendance

Members*

Algeria	Lazhar Soualem, Linda Briza, Mohamed Mellah, Abdelghani Hamel, Rachid Birem
Argentina	Mariano Ciafardini, Gustavo E. Figueroa, Eugenio Maria Curia, Beatriz Vivas de Lezica, Mariana Siga
Belarus	Aleksandr Ivanovsky, Viktar Gaisenak, Igor Sholodonov, Olga Zvereva
Belgium	Michel Adam, C. Janssens de Bisthoven, W. Roelants de Stappers, Vicky De Souter, Wouter Boucique
Bolivia	Luis Vásquez Villamor, Jaime Niño de Guzmán, Juan Ignacio Siles, H. David Crespo, Miriam Siles
Brazil	Sergio de Queiroz Duarte, Luis Ivaldo Villafañe Gomes Santos
Bulgaria	Ivan Naydenov, Krasimir Mladenov, Simona Alexova, Traiko Spasov, Bilyana Christova
Canada	Donald Piragoff, Alan Morgan, Lucie Angers, Michel Roy, Mary-Anne Kirvan, Douglas Ransom Breithaupt, Keith Morrill, Manon Dumas, Susan Spénard
Colombia	Héctor Charry Samper, Gilberto Orozco Orozco, Hugo Alcides Penafort Sarmiento, Juliana Bustamente Reyes, Carlos Rodrigues Bocanegra, Diana Mejia Molina
Costa Rica	Ronald Woodbridge, Stella Aviram Neuman
Egypt	Sameh Hassan Shoukry, Ibrahim Hamad, Ibrahim Khairat, Hamdy Shaaban, Adel Fahmy Soliman Abdel Moneim, Yasser El Atawi
France	Bérengère Quincy, Pierre Charasse, Michèle Ramis-Plum, Daniel Lecrubier, Michel Gauthier, Eric Ruelle, Bernard Frery, Catherine Thony, Brigitte Collet, Malika Berak, Claudine Jacob, Delphine Lida, Jacques Lajoie, Patrick Deunet, Noël Corbin, Marc Baronnet
India	T. P. Sreenivasan, R. M. Roy, Hemant Karkare, Partha Satpathy, Vijay Shunglu, Inder Pal Singh, Deepak Anurag
Indonesia	Rhousdy Soeriaatmadja, Sapartini S. Kuntjoro-Jakti, Sadewo Joedo, Diar Nurbintoro, Odo Rene Mathew Manuhutu

* Chad, the Democratic Republic of the Congo, Jamaica, Sierre Leone and Togo were not represented at the session.

Iran (Islamic Republic of)	Mehdi Danesh-Yazdi, Fariborz Bakhtiari-Asl, Ali Hajigholam Saryazdi
Japan	Toichi Fujiwara, Kuniji Shibahara, Masayoshi Kamohara, Mikinao Kitada, Haruki Sugiyama, Kazumi Nagashima, Hirokazu Urata, Koshi Yamasaki, Haruhiko Fujimoto, Jiro Usui, Tetsuro Kamata, Mika Sakurai, Nobuoki Ishii
Mexico	Maria de la Luz Lima Malvido, Olga Pellicer, Joel Hernández García, Pedro José Peñaloza, José Antonio Mirón Reyes, Jorge Luis Hidalgo Castellanos, Lepoldo Lopez Zea, Cristina Burgos
Morocco	Tajeddine Baddou, Abdellatif Saadi, Abdellah Hammoud
Netherlands	Jan Peek, Michiel Bierkens, Hans Abma, Sanne Kaasjager, Richard Scherpenzeel
Nigeria	Ibrahim Y. Lame, Abdulkadir Bin Rimdap, Mohammed Uthman, Pats-Acholonu, Ibrahim Mohammed Jarma, Florence Nmeka Molokwu, Titilayo Folaiwo Ibe, Abdulazeez Sheikh-Usman, Ngozika O. Jipreze, Abel A. Ayoko, Ifeyinwa Angela Nworgu, Moshood Adeyemi
Pakistan	Shaukat Umer, Abdul Razzaque, Muhammad Sabir, Mohammad Kamran Akhtar
Peru	Juan Jimenez Mayor, Javier Paulinich, Liliam Ballon de Amézaga, Eduardo Bernales Meza, Manuel Alvarez Espinal
Philippines	Victor G. Garcia III, Maria Cleofe R. Natividad, Mary Anne A. Padua
Poland	Janusz Rydzkowski, Anna Grupinska, Mariusz Skowronski, Beate Ziorkiewicz, Jacek Such, Agnieszka Dabrowiecka, Edyta Lapinska
Portugal	Carlos Neves Ferreira, Carlos Pais, Gil Galvao, Maria do Carmo Costa, António Folgado
Russian Federation	Mikhail I. Kalinin, Sergei B. Shestakov, Valery A. Grobovoy, Alexander V. Zhironkin, Sergey I. Lashin, Igor L. Smirnov, Arkady Tonkoglaz, Alexander I. Korobeev, Alexander V. Zinevitch, Sergei V. Zemsky, Andrey Y. Averin
Saudi Arabia	Omar Mohammed Kurdi, Abdel Rahim Mashni Al-Ghamdi, Fahed Naser Al-Manaa, Abdullah Abdelrahman Al-Youssef, Abdel Rahman Hamdan Alshamrani, Abdulrahman Mohamed Aljarallah, Mohamed Abdelaziz Almaheese, Mohamed Bin Naser Alowlah, Saud M. I. Al-Mutlaq
South Africa	A. T. Moleah, K. Ngema, S. Moodley, M. Rwelamira, J. E. Sishuba, A. S. Theron, G. S. Baay, L. E. Glanz, M. W. Mofolo, N. F. van Graan, Shai Millicent, N. Jacobs, H.J.J. Prozesky, N. S. Schoombie, N. P. Notutela

Spain	Antonio Núñez García-Saúco, Ignacio Baylina Ruiz, Antonio Obregón, Alberto Laguia Arrazola, José María de las Cuevas Carretero, Francisco Javier González Ibañez
Sudan	Abdel Ghaffar A. Hassan, Sid Ahmed Abu Seif, Esam Eldin Abdul Gadir Elzein, Kamal Bashir Ahmed Mohamed Khair
Thailand	Suchart Traiprasit, Rudi Jivalak, Karn Chiranond, Charnnarong Pakdewijit, Sirisak Tiyapan, Ravivan Kwaengsobha, Sarawut Benjakul, Wanlop Yutidhammadamrong, Saksee Phromyothi, Tana Weskosith, Rongvudhi Virabutr
Tunisia	Bechir Chouikh
United States of America	Elizabeth G. Verville, Laura E. Kennedy, Kathleen W. Barmon, James Finckenauer, Regina Hart, John Brandolino, Barbara Johnson, Jay Lerner, Marvene O'Rourke, Kenneth Propp, S. Gail Robertson, Stewart Robinson, Herbert S. Traub III, Edwin Zedlewski, Doris MacKenzie, Alyson McFarland
Uzbekistan	Yakubdjan Irgashev, Maman Ismailov
Zimbabwe	Tirivafi John Kangai, B. Chimhandamba

States Members of the United Nations represented by observers

Angola, Armenia, Australia, Austria, Azerbaijan, Belize, Benin, Bosnia and Herzegovina, Botswana, Burkina Faso, Cameroon, Chile, China, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Ethiopia, Finland, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Iraq, Ireland, Italy, Jordan, Kazakhstan, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Mali, Malta, Morocco, Mozambique, Namibia, Nicaragua, Norway, Oman, Panama, Qatar, Republic of Korea, Romania, Senegal, Slovakia, Slovenia, Sri Lanka, Sweden, Syrian Arab Republic, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia and Zambia.

Non-member States represented by observers

Holy See, Switzerland

Entities represented by observers

Palestine

United Nations

Office of Legal Affairs, Department of Management, Office for Drug Control and Crime Prevention, Economic Commission for Europe, United Nations Interregional Crime and Justice Research Institute

Affiliated regional institutes and associated institutes

Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, Latin American Institute for the Prevention of Crime and the Treatment of Offenders, European Institute for Crime Prevention and Control, affiliated with the United Nations, United Nations African Institute for the Prevention of Crime and the Treatment of Offenders, International Centre for Criminal Law Reform and Criminal Justice Policy, International Institute of Higher Studies in Criminal Sciences, Naif Arab Academy for Security Sciences, National Institute of Justice, Raoul Wallenberg Institute of Human Rights and Humanitarian Law, International Centre for the Prevention of Crime, International Scientific and Professional Advisory Council

Other intergovernmental organizations represented by observers

Asian-African Legal Consultative Committee, Commonwealth Secretariat, Council of Arab Ministers of the Interior, Council of Europe, European Commission, European Police Office, International Centre for Migration Policy Development, International Organization for Migration, League of Arab States, Organization for Security and Cooperation in Europe, Sovereign Military Order of Malta, Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies

Non-governmental organizations

General consultative status: Asia Crime Prevention Foundation, Caritas Internationalis—International Confederation of Catholic Charities, International Abolitionist Federation, International Council of Women, International Federation of Business and Professional Women, Muslim World League, Soroptimist International, World Association of Girl Guides and Girl Scouts, Zonta International

Special consultative status: Arab Lawyers Union, Arab Organization for Human Rights, Baha'i International Community, Centro Nazionale di Prevenzione e Difesa Sociale, Communities Forestry and Social Development Organization, Defence for Children International, Fondazione Giovanni e Francesca Falcone, Friends World Committee for Consultation, Howard League for Penal Reform, International Association of Judges, International Commission of Catholic Prison Pastoral Care, International Commission of Jurists, International Council on Alcohol and Addictions, International Federation of University Women, International League for Human Rights, International Society of Social Defence, Japan Federation of Bar Associations, National Council of German Women's Organizations—Federal Union of Women's Organizations and Women's Group of German Associations, Pax

Romana (International Catholic Movement for Intellectual and Cultural Affairs and International Movement of Catholic Students), Prison Fellowship International, Rural Women Environmental Protection Association, Syriac Universal Alliance, World Society of Victimology

Roster: International Police Association

Annex II

Conference-servicing implications of holding an inter-sessional meeting of the Commission on Crime Prevention and Criminal Justice prior to its resumed tenth session

1. The recommendation of the Commission to continue consideration of item 5 of its agenda entitled "Follow-up to the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders", at an inter-sessional meeting later in 2001 would entail additional conference-servicing requirements estimated at US$ 163,060 at full cost. Those estimates are based on the theoretical assumption that no part of the conference-servicing requirements would be met from within the permanent conference-servicing capacity included under section 2 (General Assembly Affairs and Conference Services) of the proposed programme budget for the biennium 2000-2001. Provision has, however, been included under that section not only for meetings programmed at the time of budget preparations, but also for meetings that might be authorized subsequently, provided that the number and distribution of meetings and conferences are consistent with the pattern of meetings of past years. As a result, no additional appropriation would be needed to meet the requirements of the inter-sessional meeting of the Commission.

2. As regards the date of the inter-sessional meeting, based on the pattern of meetings and past workload at the United Nations Office at Vienna, it is proposed that the inter-sessional meeting be held from 3 to 5 September 2001.

Annex III

List of documents

Document number	*Agenda item*	*Title or description*
E/CN.15/2001/1 and Corr.1	2	Provisional agenda and annotations
E/CN.15/2001/2 and Corr.1	6	Report of the Executive Director on the work of the Centre for International Crime Prevention
E/CN.15/2001/3 and Corr.1	4	Report of the Secretary-General on existing international legal instruments, recommendations and other documents addressing corruption
E/CN.15/2001/4	4	Report of the Secretary-General on the conclusions of the study on effective measures to prevent and control high-technology and computer-related crime
E/CN.15/2001/5	5	Report of the Secretary-General on the draft plans of action for the implementation during the period 2001-2005 of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century
E/CN.15/2001/6	5	Note by the Secretariat on the review of the role, function, periodicity, duration and rules of procedure of the United Nations congresses on the prevention of crime and the treatment of offenders
E/CN.15/2001/7	6	Report of the Secretary-General on projects involving international technical assistance and training in the field of crime prevention and criminal justice
E/CN.15/2001/8	6	Report of the Secretary-General on activities of the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network
E/CN.15/2001/9	7	Report of the Secretary-General on the use and application of United Nations standards and norms in crime prevention and criminal justice
E/CN.15/2001/10 and Corr.1	7	Report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty
E/CN.15/2001/11	8	Note by the Secretariat on the proposed programme of work in crime prevention and criminal justice for the biennium 2002-2003

Document number	*Agenda item*	*Title or description*
E/CN.15/2001/12	8	Note by the Secretary-General on the nomination of a member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute
E/CN.15/2001/L.1 and Add.1/Rev.1	10	Draft report
E/CN.15/2001/L.1/ Add.2-8	10	Draft report
E/CN.15/2001/L.2/Rev.2	7 (b)	Argentina, Australia, Belgium, Bulgaria, Burkina Faso, Cameroon, Canada, Costa Rica, Croatia, Czech Republic, Ecuador, Finland, France, Germany, Hungary, Morocco, Namibia, Nigeria, Peru, Portugal, Romania, Russian Federation, Slovakia, South Africa, Sweden (on behalf of the European Union), Uganda and United Kingdom of Great Britain and Northern Ireland: revised draft resolution
E/CN.15/2001/L.3/Rev.2	4	Argentina, Australia, Bolivia, Brazil, Chile, Colombia, Ecuador, India, Indonesia, Mexico, Morocco, Peru, Philippines, Saudi Arabia, South Africa, Spain, Sweden, Turkey, Uruguay and Venezuela: revised draft resolution
E/CN.15/2001/L.4	4	Argentina: draft resolution
E/CN.15/2001/L.5	4	Ecuador and Peru: draft resolution
E/CN.15/2001/L.6/Rev.2	5	Argentina, Belarus, Bolivia, Botswana, Canada, Chile, Colombia, Croatia, Cuba, Ecuador, Finland, Greece, Hungary, Iran (Islamic Republic of), Italy, Jordan, Kuwait, Libyan Arab Jamahiriya, Mexico, Morocco, Nigeria, Pakistan, Peru, Poland, Qatar, Russian Federation, Saudi Arabia, Spain, Thailand, Tunisia and Ukraine: revised draft resolution
E/CN.15/2001/L.7	5	Comments submitted by Finland on the draft plans of action for the implementation during the period 2001-2005 of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (E/CN.15/2001/5)
E/CN.15/2001/L.8	5	Comments submitted by Canada on the draft plans of action for the implementation during the period 2001-2005 of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (E/CN.15/2001/5)

Document number	*Agenda item*	*Title or description*
E/CN.15/2001/L.9/Rev.3	5	Belarus, Canada, Croatia, Egypt (on behalf of the Group of 77 and China), France, Greece, Kuwait, Mexico, Netherlands, Poland, Portugal, Russian Federation, Qatar, Slovakia, Spain, Sweden, Turkey and United Kingdom of Great Britain and Northern Ireland: revised draft resolution
E/CN.15/2001/L.10	4	Colombia: draft resolution
E/CN.15/2001/L.11	5	Comments submitted by Uzbekistan on the draft plans of action for the implementation during the period 2001-2005 of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (E/CN.15/2001/5)
E/CN.15/2001/L.12/Rev.1	4	Belarus, Benin, Bolivia, Botswana, Burkina Faso, Chile, Colombia, Ecuador, Guatemala, India, Indonesia, Iran (Islamic Republic of), Mexico, Morocco, Namibia, Nigeria, Pakistan, Peru, Philippines, South Africa, Ukraine and Venezuela: revised draft resolution
E/CN.15/2001/CRP.1	7	World prison populations: facts, trends and solutions
E/CN.15/2001/CRP.2		Draft United Nations manual on anti-corruption policy
E/CN.15/2001/CRP.3	4	Report on the SADC Regional Meeting of Ministers of Justice and Attorneys-General on the United Nations Convention against Transnational Organized Crime and draft SADC Protocols on Extradition and Mutual Legal Assistance in Criminal Matters, Johannesburg, South Africa, 26-30 March 2001
E/CN.15/2001/CRP.4		Seminario regional para la facilitación de la entrada en vigor de la Convención de las Naciones Unidas contra la Delincuencia Organizada Transnacional y sus protocolos, Ciudad de Guatemala, 19 y 20 de abril de 2001

Document number	*Agenda item*	*Title or description*
E/CN.15/2001/NGO/1	7 (a)	Statement submitted by International Abolitionist Federation, International Alliance of Women, International Council of Women, International Federation of Business and Professional Women, Rotary International and Zonta International (non-governmental organizations in general consultative status with the Economic and Social Council); and European Women's Lobby, Howard League for Penal Reform, International Commission of Catholic Prison Pastoral Care, International Council on Alcohol and Addictions, International Federation of University Women, International Society of Social Defence, Italian Centre of Solidarity, National Council of German Women's Organizations—Federal Union of Women's Organizations and Women's Group of German Associations, Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs and International Movement of Catholic Students), Salvation Army and Socialist International Women (non-governmental organizations in special consultative status with the Economic and Social Council)
E/CN.15/2001/NGO/2	7 (b)	Statement submitted by Soroptomist International, a non-governmental organization in general consultative status with the Economic and Social Council
E/CN.15/2001/NGO/3	7 (b)	Statement submitted by the Asia Crime Prevention Foundation, a non-governmental organization in general consultative status with the Economic and Social Council

United Nations

E/2001/30/Corr.1
E/CN.15/2001/13/Corr.1

Economic and Social Council

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English and Spanish only

Commission on Crime Prevention and Criminal Justice

Report on the tenth session*
(8-17 May 2001)

Corrigendum

1. **Page 1**

Document E/2001/30-E/CN.15/2001/13, dated 30 May 2001, should bear the following symbol: E/2001/30
E/CN.15/2001/13

2. **Paragraph 10**

The last sentence *should read*

Through the identification of objective measurement tools providing a clear idea of the situation, it would be possible to demystify the problem, avoid stigmatization and provide the basis for the formulation of anti-corruption policies and action plans, as well as the establishment of benchmarks against which progress against corruption could be monitored.

3. **Paragraph 100**

For the existing text *substitute*

100. At its 12th meeting, on 17 May 2001, the Commission adopted by consensus the report on its tenth session (E/CN.15/2001/L.1 and Add.1/Rev.1 and E/CN.15/2001/L.1/Add.2-8), as orally amended.

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* The present document is an advance version of the report of the Commission on Crime Prevention and Criminal Justice on its tenth session. It will be issued subsequently in final form as *Official Records of the Economic and Social Council, 2001, Supplement No. 10* (E/2001/30/Rev.1).

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